



INTERNATIONAL TRADE COMMISSION

Investigation No. 337-TA-895

Certain Multiple Mode Outdoor Grills and Parts Thererof; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 21, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of A&J Manufacturing, LLC of St. Simons, Georgia and A&J Manufacturing, Inc. of Green Cove Springs, Florida. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain multiple mode outdoor grills and parts thereof by reason of infringement of certain claims of U.S. Patent No. 8,381,712 (“the ’712 patent”), U.S. Patent No. D660,646 (“the ’D646 patent”), and U.S. Patent No. D662,773 (“the ’D773 patent”), and that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW, Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to

the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2013).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on September 20, 2013, ORDERED THAT —

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain multiple mode outdoor grills and parts thereof that infringe one or more of claims 1–20 of the '712 patent, the claim of the 'D646 patent, and the claim of the 'D773 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purposes of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

A&J Manufacturing, LLC
2465 Demere Road

St. Simons, GA 31522

A&J Manufacturing, Inc.

903 Lake Asbury Drive

Green Cove Springs, FL 32043

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

The Brinkmann Corporation

4215 McEwen Road

Dallas, TX 75244

W.C. Bradley Company

1017 Front Avenue

Columbus, GA 31902

GHP Group, Incorporated

8280 N. Austin Avenue

Morton Grove, IL 60053

Kamado Joe Company

2865 N. Berkeley Lake Road, NW, Suite 6

Duluth, GA 30096

Outdoor Leisure Products, Incorporated

5400 Doniphan Drive

Neosho, MO 64850

Rankam Group

1618 W. Rosecrans Avenue

Gardena, CA 90249

Academy Ltd., d/b/a/Academy Sports + Outdoors

1800 North Mason Road

Katy, TX 77449

HEB Grocery Company, LP, d/b/a H-E-B

646 South Main Avenue

San Antonio, TX 78204

Kmart Corporation

3333 Beverly Road

Hoffman Estates, IL 60179

Sears Brands Management Corporation

3333 Beverly Road

Hoffman Estates, IL 60179

Sears Holdings Corporation

3333 Beverly Road

Hoffman Estates, IL 60179

Sears, Roebuck & Company

3333 Beverly Road

Hoffman Estates, IL 60179

Tractor Supply Company

200 Powell Place

Brentwood, TN 37027

Guangdong Canbo Electrical Co., Ltd.

No. 268 Qixin Road

Xingtian, Shunde District

Foshan City, Guangdong Province

CHINA

Chant Kitchen Equipment (HK), Ltd.

Suite 706, 7/F Rightful Centre 11-12

Tak Hing Street

Jordan, Kowloon

Hong Kong

CHINA

Dongguan Kingsun Enterprises Co., Ltd.

Zone 2 Xicheng Industrial District

Shiyong Village, Hengli Town

Dongguan City

CHINA

Zhejiang Fudeer Electric Appliance Co., Ltd.

No. 286, Kaifa Avenue

Taizhou Economic Development Zone

Zhejiang Province

CHINA

Ningbo Huige Outdoor Products Co., Ltd.

Room 1406 Building #15

Huaxin International Business Center

Fenghua City, Zhejiang Province

CHINA

Keesung Manufacturing Co., Ltd.

No. 88 Yu Wo Tou Road

Dong Chong Town

Panyu, Guangzhou 511475

CHINA

Ningbo Spring Communication Technologies Co. Ltd.

No. 88 Qiming Road

Yingzhou Industrial Zone

Ningbo Zhejiang 315104

CHINA

Wuxi Joyray International Corporation

No. 12F, Chongan Building

369 Jiefang We Road

Wuxi, Jiangsu

CHINA

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW, Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR.. 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by

the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Lisa R. Barton

Acting Secretary to the Commission

Issued: September 20, 2013.

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